

OLC 74-2558
10 December 1974

MEMORANDUM FOR THE RECORD

SUBJECT: Conversation with Steve Daniels, House Government
Operations Committee, regarding H.R. 16373 and S. 3418,
the Right of Privacy Bills

1. Called Steve Daniels, Representative John N. Erlenborn's (R., Ill.) staff man on the House Government Operations Committee, and asked if he could clarify a call to our General Counsel from another agency that the exemption in the privacy bill (H.R. 16373) had been over-ridden by the amendments to the Freedom of Information Act.

2. Daniels said this was incorrect. He explained that the Senate committee staffers did propose an amendment to the compromise bill which possibly could have affected our exemption, but it was not adopted. He further explained that the privacy bill could affect exemption (b)(6) in the Freedom of Information Act, which exempts "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." According to Daniels under H.R. 16373 certain personal information could be made available to the public if the agency first publishes in the Federal Register that the information is being disclosed as part of a routine use. This will be clarified in the final version of the bill.

3. Daniels assured me that the Agency's exemption is as it appears in the House bill with the addition of certain of those sections in the Senate bill which we had previously discussed.



Assistant Legislative Counsel

STATINTL

Distribution:

Orig - H.R. 16373
1 - S. 3418
1 - H. Gov't Ops.
1 - Chrono

Telecon PLC/Steve Daniels, HGov't Ops Comm., 12/10/74 re Privacy

Senate language that was knocked out:

Nothing in this section shall be deemed to require or permit the withholding of any record which is permitted to be disclosed under section 552 of this title.